

**KENTUCKY BOARD OF EDUCATION  
REGULAR MEETING  
FEBRUARY 2, 2011**

**STATE BOARD ROOM  
1ST FLOOR, CAPITAL PLAZA TOWER  
FRANKFORT, KENTUCKY**

***SUMMARY MINUTES***

The Kentucky Board of Education held its regular meeting on February 2, 2010, in the State Board Room, First Floor, Capital Plaza Tower, Frankfort, Kentucky. The board conducted the following business:

**Wednesday, February 2, 2011**

***CALL TO ORDER***

Chair David Karem could not attend the meeting. Thus, Vice-Chair Dorie Combs called the meeting to order and asked that everyone turn off their cell phones or mute them.

***ROLL CALL***

Present for the meeting were Dorie Combs, Judy Gibbons, Martha Jones, Roger Marcum, Jonathan Parrent, Brigitte Ramsey, William Twyman, and Mary Gwen Wheeler. Absent were C.B. Akins, Billy Harper and David Karem.

***APPROVAL OF MINUTES FROM THE DECEMBER 7-8, 2010, REGULAR MEETING***

Judy Gibbons moved approval of the December 7-8, 2010 minutes and Martha Jones seconded the motion. The motion carried.

***INTRODUCTION OF NEW KDE EMPLOYEES AND KDE TEAM MEMBERS OF THE MONTH BY THE COMMISSIONER OF EDUCATION***

Commissioner Holliday introduced the following new Kentucky Department of Education employees:

- Todd Baldwin – Assistant Director – Office of Next Generation Learners - Division of Program Standards
- Lisa Lang – Staff Attorney II – Office of Guiding Support Services
- Michael Sullivan – Educational Financial Analyst – Office of Administration & Support - Division of School & Community Nutrition

- Sarah Aitken – Educational Financial Analyst – Office of Administration & Support – Division of District Support

The commissioner then recognized the following Team Members of the Month:

- December – Kylie Whitaker, Resource Management Analyst III, Division of Learning Services, Office of Next Generation Learners
- January – Mary Ann Miller, Policy Advisor, Office of the Commissioner

***REPORT OF THE SECRETARY OF THE EDUCATION AND WORKFORCE DEVELOPMENT CABINET***

Secretary Joe Meyer said his written report stands as submitted and that he would take any questions. He commented that he continues to be amazed at the breadth of topics the Education and Workforce Development Cabinet deals with and the collaborative nature of the different entities within the Cabinet.

***REPORT OF THE PRESIDENT OF THE COUNCIL ON POSTSECONDARY EDUCATION***

President King offered the following comments regarding his written report:

- The Council on Postsecondary Education (CPE) has a new strategic plan that will be adopted tomorrow. It contains collaboration between the CPE, Education Professional Standards Board, the Kentucky Department of Education, the Education and Workforce Development Cabinet, the Economic Development Cabinet and the business community. This plan is probably the most integrated effort in linking K-12 and higher education and contains strategies that will impact either end of the spectrum. A more detailed description of the plan will hopefully be given in April if time can be set aside for this purpose.
- The website that the Council on Postsecondary Education created in relation to its professional development responsibilities for Senate Bill 1 is up and running. Each of the campuses has posted its plan for how the professional development activities will be implemented for higher education faculty relative to implementation of the new standards.

***REPORT OF THE EXECUTIVE DIRECTOR OF THE EDUCATION PROFESSIONAL STANDARDS BOARD***

Executive Director Phillip Rogers made the following comments in regard to his written report:

- Two written reports from the Education Professional Standards Board are contained in the meeting folders and questions will be accepted on these.

- In response to a question on meeting the demands for the Kentucky Teacher Internship Program, Dr. Rogers said that it looks like everybody will be served this year with a couple of slots left over.

### ***REPORT OF THE COMMISSIONER OF EDUCATION***

Commissioner Holliday reported the following:

- The written report is contained in your meeting folder.
- The House Education Committee will convene today thirty minutes after the full House adjourns and House Bill 225 will be reviewed. It would be helpful if the board finishes its meeting in time for members to attend this subcommittee meeting to show support for House Bill 225.

### ***GOOD NEWS ITEMS***

The following items of good news were made by the noted individuals:

- Dorie Combs - 35 students from Scott County High School auditioned for the Kentucky Music Educators Association All-State High School Choir and 23 of them were selected. Brent Merritt, choral director at the school, said this gives him an extreme sense of pride. In the audition, students are required to sing a capella with a quartet, sing solo and sight read a song. Four of the students received perfect sight reading scores and many others received 9 out of 10 points on this. Merritt said that "To be accepted is an expression of the hard work and dedication our students put in throughout the year."

Congratulations to Mr. Merritt and the talented, hard-working students that were chosen for this honor.

- Mary Gwen Wheeler – D.J. Bachman, a junior at the Kentucky School for the Blind, took the ACT in November. She took it even though she had a miserable virus and was running a temperature.

Even though physically she felt awful, mentally she was at the top of her game. D.J. scored a composite score of 31 out of 36 and aced the reading portion with a perfect score of 36. Her composite score ranks in the 97<sup>th</sup> percentile and the reading score among the 99<sup>th</sup> percentile nationwide.

After she graduates, she plans to attend college and pursue a degree in either math or law.

Congratulations to D.J. on her outstanding performance on the ACT!

### ***PUBLIC COMMENT SEGMENT***

There were no individuals signed-up to speak during this portion of the meeting.

***703 KAR 5:200, NEXT GENERATION LEARNERS AND DISCUSSION ON REMAINING ACCOUNTABILITY ISSUES FOR KENTUCKY'S ACCOUNTABILITY MODEL***

Associate Commissioner Ken Draut and Division Director Rhonda Sims came forward for this agenda item. Associate Commissioner Draut proceeded to go over the concept paper describing the assessment and accountability model, mostly dealing with the Next Generation Learners component. The following items were highlights of this discussion:

- Brigitte Ramsey asked about cut scores and when the novice, apprentice, proficient and distinguished levels would be set. Mr. Draut replied that the regulation establishes this process through standard setting but noted that it could not be finished until data exists in the summer of 2012. Commissioner Holliday added that standard setting will have to occur for both the grades 3-8 assessment and the end-of-course assessments.
- Commissioner Holliday then posed a question on whether the board is okay with the change in the model from growth to status, which is a more simplistic, valid and statistically sound approach. Bill Twyman asked if Kentucky was backing up by going to a status model. Ken Draut replied that we are really getting both improvement and position in a category from the model that is proposed. Commissioner Holliday added that No Child Left Behind never really was a true growth model and said the targets were arbitrary. He felt this model was the best of both worlds. Vice-Chair Dorie Combs then asked if the board members were agreeable to changing to the status approach and by consensus the board agreed.
- Mary Gwen Wheeler asked if Kentucky would be seeing changes due to a national test and wondered if it is better to wait and deal with assessing the new standards using the national test. Commissioner Holliday replied that the board will have to make a decision in 2014 whether to change to the national test, but noted that this is not mandatory. He emphasized that Kentucky could not wait for four years to begin assessing the new standards and said he feels that the national test will not be a lot different from what we are proposing to implement. He reported that he is hearing from some superintendents that they would prefer to wait till 2015 for the national test but emphasized that he is very opposed to this because it would be going backwards on implementation of the tenants of Senate Bill 1.
- Ken Draut introduced the topic of graduation rate and explained that all states must move to cohort rate; however, he noted that 2013 is the first year that Kentucky can do a cohort rate because it is a four-year calculation. Draut noted that in the interim, Kentucky will be using the Averaged Freshman Graduation Rate (AFGR) with approval from the U.S. Department of Education (USDOE). He indicated that it is not as strong of a model as the cohort but can be used in the transition. Commissioner Holliday said that Kentucky will have to take into consideration that we are likely to see a drop when we move to cohort and in fact some superintendents have lobbied the Governor to alter how cohort is computed. Ken Draut went on to say that the four-year rate can be a disincentive and that USDOE allows a five- or six-year rate for those needing longer. Draut said the board would have to look at this when the time comes. He went on to explain that in the federal rules for the cohort rate, GED students do not count nor do the alternate assessment students (those with

the most severe cognitive impairments). Rhonda Sims added that the alternate assessment students do count for accountability but not in graduation rate and explained they do get a certificate of attainment.

- Commissioner Holliday suggested that the discussion move on to college and career readiness. He said that the Council on Postsecondary Education set cut scores on the likelihood of students moving into credit-bearing classes. Holliday noted that college readiness is fairly well-defined but said that career readiness needs work. He indicated that individuals from the Kentucky Association of Career and Technical Education (KACTE) were here today to provide the board with a proposal for the definition of career readiness and introduced Dr. Ken Talley and Mike Stone to give that presentation.

Dr. Talley used a PowerPoint to present the proposed three elements of career readiness as core academic communication and math skills, employability skills and technical and job specific skills. It was emphasized that college readiness and career readiness are two separate concepts that have commonalities but some significant differences. It was emphasized that the definition of career readiness must identify the components of knowledge, skills and aptitudes needed for a student to be career ready. Furthermore, it was indicated that a student can be college ready, career ready or both college and career ready. Recommendations were given for categories of assessment for technical skills, for academic proficiency skills and employability skills as well as portfolio elements that would be rated with a minimum composite score.

Commissioner Holliday suggested that the School Curriculum, Assessment and Accountability Council (SCAAC) discuss this proposal and give advice to the board on it and SCAAC's president Lu Young said she appreciated KACTE bringing examples of the definition of career ready forward. She indicated that SCAAC would discuss this proposal at its next meeting. Holliday went on to ask KDE staff to work with KACTE to work out the specifics of how this definition would work.

Roger Marcum said he applauded defining career readiness through elements of a portfolio but said that questions will come up about scoring a portfolio and whether this is a valid approach. He went on to say that we really want students to be college and career ready and questioned whether the accountability model could give credit if students are both. He noted that the legislature did not fund WorkKeys, which sends a message to students that career ready is not as important. Brigitte Ramsey and Mary Gwen Wheeler agreed with Mr. Marcum.

Dr. Holliday said that we may get some pushback from those who say that Senate Bill 1 only called for college readiness. Dorie Combs replied that she felt that the board values career ready as much as college ready. Roger Marcum added that we have to think about doing what is best for students.

- Ken Draut moved on to the topic of weighting and said that in the concept paper on the bottom of page 3, staff is proposing to stay the course with the proposal in the chart. Some discussion occurred around providing more emphasis on college readiness at middle school

but after weighing the pros and cons, the board agreed to go with the current numbers relative to weighting.

- Ken Draut noted that there had been questions about building in a link from EXPLORE and PLAN to ACT. Brigitte Ramsey said it is frustrating not to be able to include EXPLORE in the growth model and asked if there is some way to look at this at the district level. Commissioner Holliday said that it could be looked at in terms of the accountability report card and Ken Draut noted that numbers could still be run and the information provided publicly even if it is not in accountability. However, Brigitte Ramsey emphasized that what gets put in the model drives behavior. Commissioner Holliday said that no change would be made at the school level but possibly could be made at the district level.
- At this point a shift was made to discussing Program Reviews. Associate Commissioner Felicia Smith reported the results of a survey that staff conducted with teachers indicating that 1,101 responses were received mostly from teachers with some administrators participating. She gave the board a summary of the results of the survey that was designed to provide feedback about a World Language Program Review. Associate Commissioner Smith said that staff will need direction from the board after it reviews and discusses this information.

Roger Marcum said that it is evident the majority favored a separate Program Review for world language and that while he understands the concerns that were expressed, he wonders how we will ever get started in the world language area if we don't go ahead and move forward.

Judy Gibbons then asked if a World Language Program Review would be on the same schedule as the others that are under development.

Commissioner Holliday said that capacity at the department is an issue. He noted that Senate Bill 1 mandates that three program reviews be done in 2011-12. Holliday suggested that the board charge the commissioner and the staff in preparing a timeline for the other program reviews because all the department can produce right now are the three dictated in Senate Bill 1. He explained that a year is needed to receive input from the field on another program review.

Judy Gibbons said she was comfortable with Dr. Holliday's suggestion. Dorie Combs added that she felt that world language should be the next priority after the first three are developed. Roger Marcum said he supported the commissioner's recommendation because the quality of the first three program reviews will be an issue relative to seeing if they are robust enough to measure the quality of a program.

At this point Vice-Chair Combs asked if the board concurred that staff bring forward a proposal for additional program reviews and a timeline for their development to the April meeting. The board concurred by consensus with this proposal.

- Ken Draut then took each section of the regulation and summarized the major points.

### ***COMMISSIONER HOLLIDAY'S LETTER TO SENATOR WILLIAMS AND REPRESENTATIVE STUMBO***

Commissioner Holliday said that he hoped all members reviewed his letter that had been sent to Senator Williams and Representative Stumbo relative to continuing Senate Bill 1 implementation. He noted that in the Governor's "State of the State Address", he urged that Senate Bill 1 implementation be continued. Holliday noted that he will be speaking to superintendents this weekend and will emphasize this stance. He asked for the board's full support on this matter.

Roger Marcum then moved support of the commissioner's letter to Senator Williams and Representative Stumbo for continuation of implementation of Senate Bill 1 and Bill Twyman seconded the motion. The motion carried.

### ***INITIAL DISCUSSION REGARDING RECOGNITION AND ASSISTANCE FOR THE NEXT GENERATION LEARNERS COMPONENT OF KENTUCKY'S NEW ASSESSMENT AND ACCOUNTABILITY MODEL***

Associate Commissioner Ken Draut said this is a companion regulation to 703 KAR 5:200 that will deal with recognition and assistance as related to the new accountability model. Associate Commissioner Larry Stinson came forward with Draut for this discussion and noted that this would be an initial discussion of the topic with regulatory language coming back to the board for consideration in April.

Dorie Combs asked for clarification on what accountability system is in effect now. Ken Draut replied that Kentucky switched to the No Child Left Behind system for its state system, which will be used one more time. He noted that when scores are received in 2012, we will have to determine what recognitions and or assistance schools will receive. Board members were given a paper titled "Recognition and Assistance for Next-Generation Learners" as a way to stimulate questions and ideas in this area.

Roger Marcum said that at the bottom of page 2, one option would allow a district to create its own accountability model. Commissioner Holliday said that six districts are working with the department to define next generation learning and that we don't want an accountability model to inhibit excellence. He explained that this option would come to the board as a waiver request.

Dorie Combs said she wants a system to have ways to show excellence but did not want the rewards to be of little substance or impact.

One suggestion was for recognition to occur when schools and districts reach certain points on the accountability model. Roger Marcum said that the old system had recognition points along the way. It was also suggested that flexibility be considered as well as things that schools and teachers want, like less paperwork.

At the end of this discussion, the board asked staff to compose a letter of encouragement to teachers for participating in the TELL KY survey.

## ***LEGISLATIVE UPDATE***

Associate Commissioner Kevin Brown said that the one priority of the board is House Bill 225 known as the Graduation Bill. He said that it is in the House Education Committee today and he encouraged as many board members as possible to attend this meeting once the board adjourns. Brown then summarized the main elements of the bill.

Legislative Liaison Tracy Herman then used a spreadsheet to highlight some of the bills under consideration and board members were given a chance to ask questions about the list of bills.

Commissioner Holliday said that relative to House Bill 225 the issues are really finances and the alternative programs. He emphasized that we must stop letting sixteen-year-olds make this kind of decision. Holliday said he is going to suggest not sweeping SEEK and to bank it in a reserve to offset any shortages in SEEK if the budget is opened for discussion.

Brigitte Ramsey asked what the board could do to assist on House Bill 225.

Tracy Herman said that board members could let her know any legislators with whom they are comfortable talking to about legislative bills. She said that folders have been prepared where they can provide this information to her.

## ***HEARING OFFICER'S REPORT***

Associate Commissioner Kevin Brown provided the board with a written report on the consideration of its regulations. It included:

- At the December 7 Education Assessment and Accountability Review Subcommittee (EAARS) meeting the following regulations were reviewed:

703 KAR 5:171. Repeal of 703 KAR 5170

703 KAR 5:190. Assistance to Low Achieving Schools

- At the December 14 Administrative Regulation Review Subcommittee (ARRS) meeting the following regulations were reviewed:

704 KAR 3:303, Required core academic standards

704 KAR 3:305, Minimum requirements for high school graduation

- The following regulations will be reviewed by the House and Senate Education Committees on February 2-3:

703 KAR 5:190 – Assistance to low achieving schools



703 KAR 5:171 – Repeal of 703 KAR 5170

704 KAR 3:303 – Required core academic standards

704 KAR 3:305 – Minimum requirements for HS graduation

### ***MANAGEMENT COMMITTEE MEETING***

#### **Action/Consent Items**

1. **District Facility Plans: Bath County and Hazard and Fulton Independent School Districts and 2. 2010-2011 Local District Tax Rates Levied.** Tim Lucas explained that all procedures had been followed and the plans were found in compliance with state law for the facility plans that were submitted. Kay Kennedy then added that the final district provided its tax rate and that board members were given a historical perspective on district tax rates and what these rates actually mean. At this point, Jay Parrent moved approval of both action/consent items and Roger Marcum seconded the motion. The motion carried.

#### **Action/Discussion Items**

1. **702 KAR 7:065, Designation of Agent to Manage High School Interscholastic Athletics and Revisions in Kentucky High School Athletic Association Bylaws (Final).** Chair Brigitte Ramsey said this is the second time the board has seen the regulation and the proposals for changes to the bylaws. No questions existed and thus Bill Twyman moved final approval of 702 KAR 7:065 and the bylaw changes. Roger Marcum seconded the motion and it carried.

### ***CURRICULUM, INSTRUCTION AND ASSESSMENT COMMITTEE MEETING***

#### **Action/Consent Items**

1. **Kentucky School for the Blind (KSB) Advisory Board Appointment and 2. Appointment to the State Textbook Commission.** Chair Judy Gibbons asked if there were any questions on either of these items. Dorie Combs moved approval of the appointment of J. Gary Mudd to the KSB Advisory Board and Martha Jones seconded the motion. The motion carried. Then, Martha Jones moved approval of the appointment of Vasco Perry to the State Textbook Commission. Mary Gwen Wheeler seconded the motion and it carried.

### ***APPROVAL OF ACTION/CONSENT ITEMS***

Judy Gibbons moved that the board approve all submitted district facility plans, 2010-2011 local district tax rates levied, the KSB advisory board appointment and the textbook commission appointment. Jay Parrent seconded the motion and it carried.

### ***REPORT OF THE MANAGEMENT COMMITTEE ON ACTION/DISCUSSION ITEMS***

Brigitte Ramsey moved on behalf of her committee for final approval to be given to 702 KAR 7:065, Designation of Agent to Manage High School Interscholastic Athletics and the proposed Revisions in Kentucky High School Athletic Association Bylaws (Final). The board concurred with the motion.

### ***BOARD MEMBER SHARING***

The following members contributed items to this section of the agenda:

- Mary Gwen Wheeler – I attended the first National Association of State Boards of Education's (NASBE) study group meeting on teacher preparation. The leaders of the group are encouraging us to hear from teachers as we make decisions on the teachers' and administrators' evaluation systems. The presentations at the meeting indicated that teachers feel they do not get enough clinical time in the field, are not taught how to use data and should be evaluated using multiple measures. The study group will meet two more times.
- Judy Gibbons – The Central Kentucky Education Action Team is meeting and establishing good ground rules as well as working on common messages. The Northern Kentucky Education Action Team is active and the Southern area is starting a group.

### ***ADJOURNMENT***

Brigitte Ramsey moved to adjourn the meeting and Judy Gibbons seconded the motion. The motion carried.